

# **THE BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES**

January 10, 2005

A regular meeting of the Board of Examiners of Psychology was held at the Division of Occupations, 911 Leawood Drive, Frankfort, Kentucky on January 10, 2005.

## **MEMBERS PRESENT**

Henry S. Davis, Ph.D., Chair  
Diane Sobel, Ph.D.  
Richard Applegate, M.A.  
Barbara Kay Jefferson, Ph.D.  
Andrew A. Meyer, Ph.D.  
S. Abby Shapiro, Ph.D.  
John C. Runyon, M.A.  
Ruth Winter Bauman

## **MEMBERS ABSENT**

Andrew B. Jones, Jr., Ph.D.

## **OCCUPATIONS & PROFESSIONS STAFF**

Wendy Satterly, Board Administrator

## **OTHERS PRESENT**

Mark Brengelman, Assistant Attorney General  
Sheila A. Schuster, Ph.D.  
Nancy Gordon Moore, Executive Director, KPA

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## **CALL TO ORDER**

Henry S. Davis, Ph.D., Chair called the meeting to order at 10:00 a.m.

## **MINUTES**

The minutes of the December 6, 2004, meeting were called to the attention of the members. A motion was made by Mr. Runyon to approve the minutes, as amended. Motion, seconded by Dr. Shapiro, carried.

## **FINANCIAL STATEMENT**

The Board reviewed the financial statements indicating a balance of \$177,926.42 as of December 31, 2004. A motion was made by Dr. Jefferson to accept the financial statement. Motion, seconded by Dr. Sobel, carried.

## **DIRECTOR'S REPORT**

In the absence of Mr. Parrish, Ms. Satterly informed the Board that Jane F. Brake, Ph.D. had submitted a bid to the Board's proposed contract for investigative services, as required by the Legislature and the Finance and Administration Cabinet, in the amount of \$16,000. Dr. Brake was the only person to submit a bid for these services. A motion was made by Dr. Sobel to award the contract to Dr. Brake. Motion, seconded by Dr. Shapiro, carried. Ms. Satterly stated that the contract will now be submitted to the Finance and Administration Cabinet and the Government Contract Review Committee of the Legislature for final approval.

## **COMPLAINTS**

The Board reviewed correspondence from Elmer Maggard, Ph.D. regarding his request to the Board for reinstatement of his license. A motion was made by Mr. Runyon to send a letter to Dr. Maggard indicating that he may practice psychology because his one year suspension of his license has been served, but immediately must pay the monetary penalty in the amount of \$6,000.00 as well as costs of the Board's disciplinary action as previously noticed to Dr. Maggard, both as required by the Final Order of the Board and that Dr. Maggard must notify the Board of the current address and phone number of his practice. Motion, seconded by Dr. Jefferson, carried.

## **COMMITTEE REPORTS**

## **CONTINUING EDUCATION COMMITTEE**

No report.

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## **EXAMINATION COMMITTEE**

The next oral examinations are scheduled for Friday, February 25, 2005.

## **SUPERVISION COMMITTEE**

No Report

## **CREDENTIALS REVIEW COMMITTEE**

No Report

## **DISCIPLINED PSYCHOLOGISTS REPORT**

No Report

## **EXPIRED LICENSURE/CERTIFICATE REPORT**

The Board reviewed a list of licensed psychologists/certified psychologists whose license/certificates had expired and had not been renewed within the ninety (90) day grace period. A motion was made by Dr. Sobel to send a "certified letter" to each individual notifying them that their license/certificate was being cancelled and that in order to be reinstated they would need to submit the appropriate renewal fee plus a penalty fee of \$100. Motion, seconded by Mr. Applegate, carried.

## **OLD BUSINESS**

The Board reviewed and noted a memorandum from John Parrish to Emily Caudill with the Legislative Research Commission requesting deferral of the regulations before the Administrative Regulation and Review Subcommittee. The Board deferred discussion until their working session to be held after the regular Board meeting.

Due to the absence of Dr. Jones, Dr. Shapiro agreed to contact Dr. Jones for a report regarding his attendance at the Kentucky Health Data Council seminar that was held on Tuesday, December 14, 2004. A report will be given at the next Board meeting to be held on February 7, 2005.

The Board reviewed and noted the Committee assignments for the calendar year 2005.

The Board reviewed the Board Calendar for the calendar year 2005. A motion was made by Dr. Meyer to accept the calendar for 2005. Motion, seconded by Mr. Runyon, carried.

Dr. Meyer informed the Board that he had reviewed several code of ethics statements from ASPPB member Boards and had, with permission, revised the Ethics statement with wording used from the College of Psychologists of the British Columbia Code. The Board requested that Dr. Meyer present the revised Ethics Statement for the Board's review at their meeting to be held on Monday, February 7, 2005.

Mr. Runyon reported that the draft of the Opinion and Declaratory Ruling regarding Raw Test Data prepared that is now consistent with the 2002 APA Ethics guidelines, upon review by the Board's counsel, will be presented for review at the next meeting to be held on Monday, February 7, 2005.

Dr. Shapiro discussed with the Board a matter that was brought up at the last Board meeting regarding the employment of licensed psychological associates as it pertains to the IRS Code. Mr. Brengelman informed the Board that he has written a draft Opinion and Declaratory Ruling Regarding 1099 and W2 Employees as it pertains to the employment of licensed psychological associates. Dr. Shapiro stated that she would also contact ASPPB for suggestions in the matter for further review at the February meeting.

Dr. Davis informed the Board that SB10 had been filed that would amend KRS 319 as well as other mental health professional Boards to require criminal background checks as a condition for certification or licensure who apply after the effective date of the Act. He will e-mail the Board the web address for LRC in order to

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monitor the progress of the Bill.

**NEW BUSINESS**

Correspondence was reviewed from Kim R. Jonason, Ph.D., President of ASPPB requesting that member Boards remove passing an oral examination from the CPQ requirements. A motion was made by Dr. Sobel to send a letter from the Board to ASPPB in support of this effort. Motion, seconded by Dr. Shapiro, carried. Dr. Davis agreed to draft correspondence for the Board in this matter.

The Board reviewed a Memorandum from ASPPB announcing the 2005 ASPPB Midyear Meeting to be held April 7-10, 2005 at the Portland Marriott Downtown in Portland, Oregon. A motion as made by Dr. Shapiro to send three (3) Board members to include Dr. Jones, Dr. Meyer, and Mr. Runyon, and if any one of them could not attend that Ms. Bauman, Mr. Applegate, and Dr. Jefferson to serve as alternates. Motion, seconded by Mr. Applegate, carried.

A motion was made by Ms. Bauman to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. Motion, seconded by Dr. Jefferson carried.

The next scheduled Board meeting is to be held on Monday, February 7, 2005 at 10:00 a.m. at the Division of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky.

After the regular Board meeting, a work session was held to review regulations.

The meeting adjourned at 12:30 p.m.

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*Dr. Davis, Ph.D.*

**Approved**